

EXHIBIT 255

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THE STATE OF TEXAS, et al.,

Plaintiffs,

v.

Civil Action No. 4:20-cv-00957-SDJ

GOOGLE LLC,

Defendant.

_____/

The Zoom Videoconferenced/Video Recorded
Deposition of MICHAEL SCHWALBERT,
Commencing at 8:33 a.m. CT,
Friday, May 10, 2024,
Before Stenographer Shorthand Reporter,
Lori Ann Baldwin, CSR-5207, RPR, CRR, BA.

Veritext Job No. CS 6687342

1 REMOTE APPEARANCES:

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18 Appearing on behalf of Plaintiff.

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1 Do you see that?

2 A. Yes.

3 Q. Now, if we turn to the next page underneath where it
4 says, "Plaintiff States seeking civil penalties as
5 parens patriae for injury to the general welfare and
6 economies by unfair or deceptive practices," this
7 applies to Missouri, correct?

8 A. I'm sorry, can you read that back again because
9 there's --

10 Q. There's two.

11 A. --- there's two, there's two different ones.

12 Q. Yes. So on page 14, after that first bullet in
13 paragraph, "Plaintiff States seeking civil penalties
14 as parens patriae for," skipping to the end there,
15 "for unfair or deceptive practices."

16 A. Right.

17 Q. Okay. So this, this response applies to Missouri,
18 correct?

19 A. Yes.

20 Q. Now, the alleged harm to Missouri's general welfare
21 and economy, as it states here, is based on publishers
22 and advertisers experiencing decreased revenue, lower
23 quality and higher prices, right?

24 A. Yes.

25 Q. How widespread is this impact in the state?

1 A. It would be for all, would be for all publishers and
2 advertisers because its conduct on a nationwide scale
3 that affects all of them.

4 Q. And has the state of Missouri, the Attorney General's
5 Office, measured that impact in any way?

6 MR. LUCY: I'm going to object as to work
7 product.

8 So my client can respond to that in a way
9 that would not divulge any protected work product.

10 A. Outside of expert, expert discovery, which is
11 forthcoming, I would not be able to provide a, you
12 know, a defined, defined measure of that, that
13 specific harm either. That would be the subject of
14 expert, the expert discovery.

15 BY MR. ADES:

16 Q. So did you do anything before today to look into
17 whether the harm had been measured?

18 MR. LUCY: I would also object to work
19 product.

20 A. So, there was the multistate investigation in this
21 litigation that was ongoing, and from that
22 information, that's going to be from, you know, that's
23 the use for the, the calculation, but, so yes, we did
24 in the sense that we had the investigation and the
25 litigation.

CERTIFICATE

STATE OF MICHIGAN

COUNTY OF OAKLAND

LORI ANN BALDWIN, a Notary Public in and
for the above county and state, do hereby certify that
this remote deposition was taken before me at the time
and place hereinbefore set forth; that the witness was
by me first duly sworn to testify to the truth; that
this is a true, full and correct transcript of my
stenographic notes so taken to the best of my skill
and ability; and that I am not related, nor of counsel
to either party, nor interested in the event of this
cause.

Lori Baldwin

Lori Ann Baldwin, CSR-5207, RPR, CRR

Notary Public

Oakland County, Michigan

My commission expires: December 21, 2025